IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF PUERTO RICO

IN RE JOSE I. TORRES ROQUE DEBTOR(S) CASE NO. 05-01536 ESL CHAPTER 13

MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE

TO THE HONORABLE COURT:

COMES NOW DEBTOR represented by the undersigned attorney and very respectfully **ALLEGES**, **STATES** and **PRAYS**:

- Debtor(s) filed and circulated a MODIFIED PLAN to all parties in interest.
- 2. That the modification is based in that Debtor(s) want(s) to amend the plan in order to:
 - a) To include the arrears in the amended plan.
 - b) To request attorney fees in the amount of \$100.00

 Debtor paid up front the amount of \$250.00.

- 3. Debtor's amended plan calls for nine (9) payments of \$520.00, eight (8) payments of \$115.00, zero payments in seven months, six (6) payments of \$115.00, zero payments in six months, ten (10) payments of \$120.00, zero payments in six months and eight (8) payments of \$120.000 for a total base of \$8,450.00.
- 4. The reason for the arrears is that during several months the Debtor had a reduction of income due to the economic situation.
- 5. The Debtor has expressed to the undersigned that this situation has been resolved and that he will be able to continue with his payments to the chapter 13 Trustee on July 2009.

WHEREFORE, Debtor respectfully requests from this Honorable Court to accept this motion and grant Debtor the opportunity to modify the confirmed plan according to 11 USC 1329 and provide any other remedy it may deem appropriate.

NOTICE

"Parties in interest are hereby granted twenty (20) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time the Court will enter an order granting the motion upon the filing of a certificate by the movant that adequate notice was given. Should an opposition be timely filed the Court will schedule the motion for a hearing as contested matter. Absent good cause, untimely rejections shall be denied."

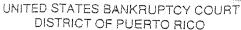
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF Filing System which will send a notification of such filing to the Chapter 13 Trustee, to the US Trustee and to all subscribed users. I hereby certify that I have mailed by United States Postal Service to the following non CM/ECF participants as per the attached master address list upon knowing that they are non CM/ECF participants.

RESPECTFULLY SUBMITTED

In San Juan Puerto Rico, this 5th day of June, 2009.

S/Víctor Thomas Santiago, Esq. Thomas & Magriñá Law Office Attorney for Debtor(s)
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IN RE: pol I loures Roque

BK. CASE # 05-01536 Ex

CHAPTER 13

DEBTOR(S)

CHAPTER 13 PAYMENT PLAN

١.	f. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make	e payments to the
	Trustee W directly D by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.	• •

2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE

PLAN DATED:	AMENDED PLAN DATED: 144 5, 2009
- PRE POST-CONFIRMATIO	N FILED BY WOEBTOR TRUSTEE WOTHER HANG
\$ 520 x 9 41680	II DISBURSEMENT SCHEDULE
¥ 115 × 8 = 920	A. ADEQUATE PROTECTION PAYMENTS CR\$
$0 \times 4 = 0$	B. SECURED CLAIMS.
\$ 115 × 6 = 690	Debtor represents no secured claims.
\$ 0 × 6 = 0	Creditors having secured claims will retain their liens and shall be paid
\$ 120 × 10 = 1,200	as follows:
\$ 0 × 6 = 0 # -120 - X = = 960	1. Trustee pays secured ARREARS:
1 - 1 0 - 1 - 1 6 U	Cr Cr # #
to be paid as a LUMIT SUM	*## \$ \$ \$
within with proceeds to come from	3
Sale of property identified as follows:	2. W Trustee pays IN FULL Secured Claims
	Gr. M. Bourge Cr. Cr.
	Cr. M. Benies Cr. Cr. + \$580.15 # #
Other:	"
Other.	3. Trustee pays VALUE OF COLLATERAL
	Cr. Cr.
	# # # \$ \$ \$
Periodic Payments to be made other than, and in	\$ \$ \$
addition to the above.	
\$x=	4. IN Debtor SURRENDERS COLLATERAL to Lien Holder:
	5. TOTHER:
PROPOSED BASE: \$ 8,450.00	5OTHER:
	6. Debtor Otherwise maintains regular payments directly to:
III. ATTORNEY'S FEES	
Treated as § 507 Priorities)	C. PRIORITIES. The Trustee shall pay priorities in accordance with the law.
. Outstanding balance as per Rule 2016(b) Fee	
Disclosure Statement: \$ 1,544	(II U.S.C. § 507 and § 1322 (a)(2)
. Additional Fees: \$	D. UNSECURED CLAIMS, Plan 🗌 Classiffes 🗹 Does not Classify Claims.
Adjusted Balance \$ 1,644-	1. (a) Class A: Co-debtor Claims / Other:
	Paid 100% / Other:
	Cr. <u>Cr. Cr.</u> # ##
	#######
\sim	(b) Other:
gned: N	2. VUnsecured Claims otherwise receive PRO-RATA disbursements
	2. Workecured Claims otherwise receive PRO-MATA disbursements
O DEBTOR	
	OTHER PROVISIONS: (Executory contracts; payment of interest to unsecured, etc.)
JOINT DEBTOR	2

ATTORNEY FOR DEBTOR: Victor C Thomas Juntago Phone: (787) 722-5601

Label Matrix for local noticing 0104-3 Case 05-01536-ESL13 District of Puerto Rico Old San Juan Fri Jun 5 12:54:36 AST 2009 US TRUSTEE

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TOYOTA CREDIT
PO BOX 366251
SAN JUAN PR 00936-6251

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Mailable recipients 25
Bypassed recipients 2
Total 27